



**RESOLUTION OF THE GOVERNING BODY
OF THE
THREE AFFILIATED TRIBES
OF THE
FORT BERTHOLD INDIAN RESERVATION**

A Resolution Entitled: Authorization and Permitting for drilling Ground Water on the Fort Berthold Indian Reservation".

WHEREAS, This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act and having adopted a Constitution and By-laws pursuant to said Act; and

WHEREAS, Article III of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council is the governing body of the Tribes; and

WHEREAS, The Constitution of the Three Affiliated Tribes authorizes and empowers the Tribal Business Council to engage in activities on behalf of and in the interest of the welfare and benefit of the Tribes and of the enrolled members thereof; and

WHEREAS, Article VI, Section 5 (l) of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council has the power to adopt resolutions regulating the procedure of the Tribal Business Council and other Tribal agencies and Tribal officials on the Reservation; and

WHEREAS, Article VI, Section (j) provides that the Tribal Business Council has the power to protect and preserve the property, wildlife, and natural resources of the Tribes, and regulate hunting and fishing on all lands within the jurisdiction of the Tribes; and

WHEREAS, The production of oil and gas and other minerals on the Fort Berthold Indian Reservation has lead to an increase in the demand for water resources which are a vital component of oil drilling and with this increased demand individual tribal members are pursuing new methods to obtain and sell water to oil companies on the Reservation including drilling groundwater from aquifers beneath tribal and allotted lands on the Reservation;

WHEREAS, The Tribal Business Council believes it should authorize the drilling and selling of ground water on the Reservation for commercial purposes; however it is imperative that the Tribe regulate this activity;and



NOW, THEREFORE BE IT RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes hereby authorizes the drilling of ground water on the Fort Berthold Indian Reservation by members of the Affiliated Tribes for commercial purposes provided that said drilling is in accordance with this resolution.

NOW THEREFORE BE IT FURTHER RESOLVED, that The Natural Resources Department shall have authority to regulate ground water drilling on the Fort Berthold Indian Reservation and shall develop rules and regulations for drilling ground water on the Reservation which shall include at a minimum a permitting process and reporting requirements and any other regulations necessary to protect the tribal environment and this natural resource.

BE IT FURTHER RESOLVED, that no person shall drill or attempt to drill ground water on the Fort Berthold Indian Reservation without first having obtained a permit from the Natural Resources Department, provided that those individuals who are currently drilling groundwater on the Reservation shall be permitted to continue to do so until they obtain a permit from the Natural Resources Department which shall be within thirty days from the date certification of this Resolution


CERTIFICATION

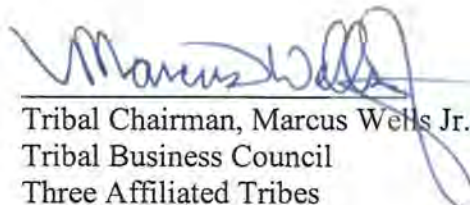
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of 7 members of whom 5 constitute a quorum, 7 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 13th day of November 2008; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 7 members, 0 members opposed, 0 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman [] voting. [] not voting.

Dated this 13th day of November 2008.

ATTEST:


Tribal Secretary, V. Judy Brugh
Tribal Business Council
Three Affiliated Tribes


Tribal Chairman, Marcus Wells Jr.
Tribal Business Council
Three Affiliated Tribes